



JC04 Re'd PCT/PTO 25 JUL 2005

PATENT

Case Docket No. DECLE 02.001 APC

Date: July 21, 2005

**TRANSMITTAL LETTER
RESPONSE TO MISSING PARTS**

Applicant : Deleu, et al.
App. No : 10/519,734 ✓
Filed : December 28, 2004
For : NOVEL USE OF LIPOPEPTIDE
PREPARATIONS
Art Unit : Unknown

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 22, 2005

(Date)

Che S. Chereskin

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on June 21, 2005, enclosed are:

- (X) A Declaration and Power of Attorney.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A Notice to File Missing Parts.
- (X) Return prepaid postcard.
- (X) A check in the amount of \$65 to cover the late oath surcharge is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

07/28/2005 ATRAH1 00000113 10519734

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Che S. Chereskin

Che Swyden Chereskin, Ph.D.

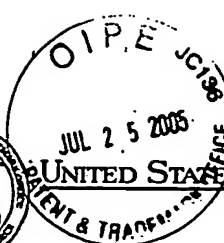
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DECL102.001APC
MRB/CSC

PCTA

UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---------------------------------------|------------------------------------|
| U.S. APPLICATION NUMBER NO. 10/519,734 | FIRST NAMED APPLICANT Magali Deleu | ATTY. DOCKET NO. DECL102.001APC |
|---|---------------------------------------|------------------------------------|

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| INTERNATIONAL APPLICATION NO. |
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PCT/EP03/06817

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| I.A. FILING DATE 06/27/2003 | PRIORITY DATE 06/28/2002 |
|--------------------------------|-----------------------------|

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CONFIRMATION NO. 5137

371 FORMALITIES LETTER



OC000000016339015

Date Mailed: 06/21/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/28/2004
- Copy of the International Search Report filed on 12/28/2004
- Preliminary Amendments filed on 12/28/2004
- Small Entity Statement filed on 12/28/2004
- U.S. Basic National Fees filed on 12/28/2004
- Priority Documents filed on 12/28/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/519,734 | PCT/EP03/06817 | DECL102.001APC |

FORM PCT/DO/EO/905 (37.1 Formalities Notice)